

PLANNING AND ZONING COMMISSION
STAFF REPORT

November 6, 2014



Right-of-way Abandonment case no. RA 14-07: Oak Grove Park Addition No. 2

SIZE AND LOCATION: 0.286 acres of unimproved public street right-of-way for Bradley Street, extending between San Jacinto Lane (State Highway 21) and North Sims Avenue adjacent to a railroad right-of-way and property addressed as 1601 North Sims Avenue in Oak Grove Park Addition No. 2

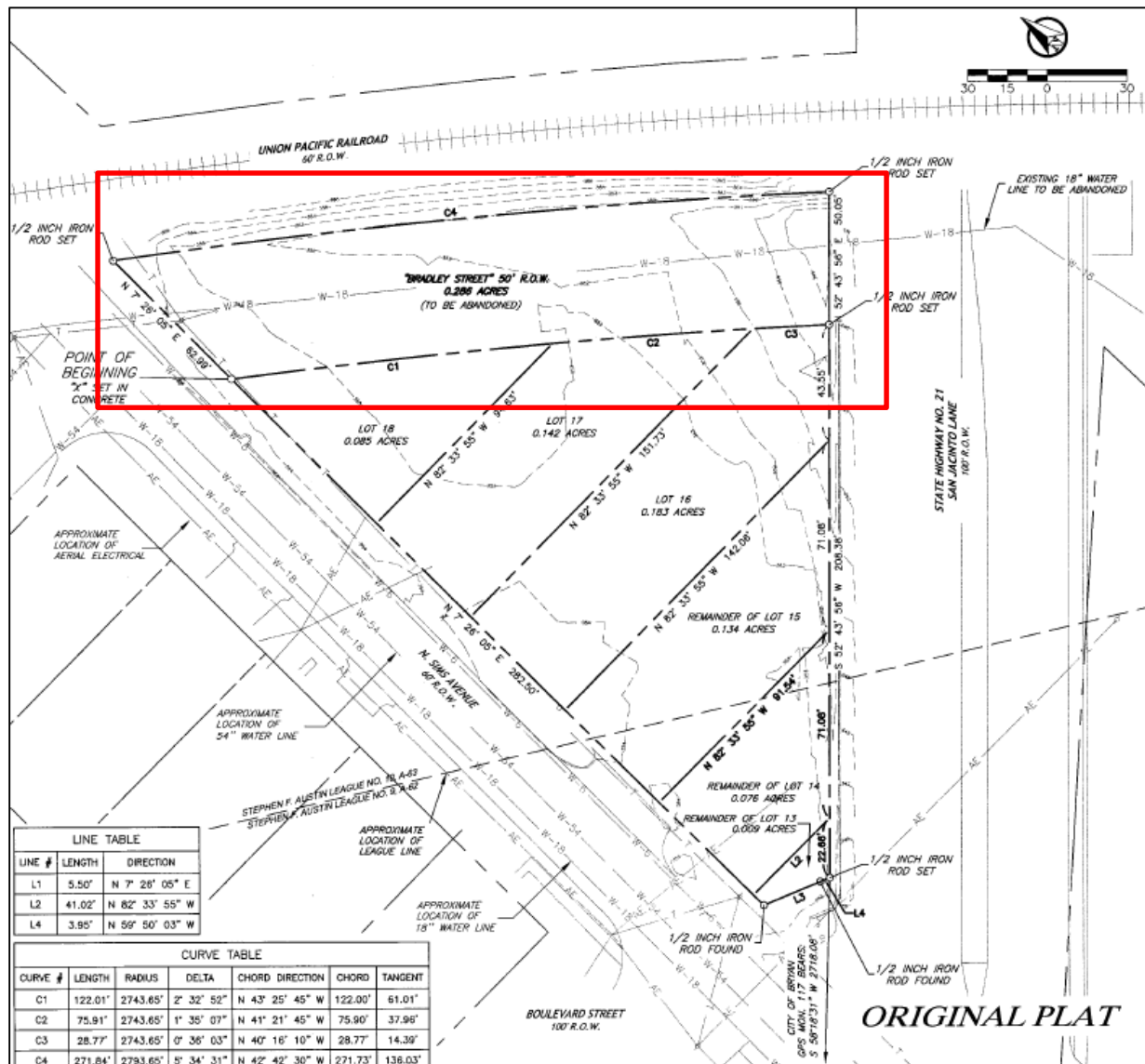
APPLICANT(S): Roy Rodriguez

STAFF CONTACT: Maggie Dalton, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the requested right-of-way abandonment.



DETAIL OF PROPOSED REPLAT DRAWING (case no. RP14-26) SHOWING THE AREA OF RIGHT-OF-WAY REQUESTED TO BE ABANDONED:



BACKGROUND:

The applicant, Mr. Roy Rodriguez, is requesting that 0.286 acres of unimproved Bradley Street right-of-way be abandoned and replatted with adjoining property that he owns. The related replat request (case no. RP14-26) is also scheduled for consideration by the Planning and Zoning Commission during its regular meeting on November 6, 2014.

Mr. Rodriguez purchased the adjoining properties with the intent to develop the land at the intersection of N. Sims Avenue and State Highway 21 with a commercial business. In the process of surveying the property for the replat, the Bradley Street right-of-way adjacent to the railroad was discovered. When Oak Grove Park Addition, No. 2 was platted in 1925, a different Bradley Street within the city limits had been constructed and the proposed Bradley Street at this location was never marked on the official city street map for this reason.

Mr. Rodriguez is requesting the abandonment to formally integrate this land with his ownership of adjoining land. The right-of-way requested to be abandoned is 0.286 acres in area and has never been improved as a driving surface. There is currently an 18-inch public water line located within the right-of-way requested to be abandoned. The Public Works Department is abandoning said line and therefore no easement would need to be reserved to continue to provide unencumbered access to that line.

ANALYSIS AND RECOMMENDATION:

Acting on behalf of the general public, only Bryan's City Council is authorized to officially abandon all or portions of rights of way dedicated for public use. The Planning and Zoning Commission hears and makes a recommendation on proposals to abandon any such rights-of-way.

Excess right-of-way burdens the public with possible continued maintenance, liability concerns, and is an inefficient use of urban land. The right-of-way requested to be abandoned has been functionally integrated with adjacent land for many years. Abandoning the subject right-of-way, therefore, will not interfere with the smooth circulation of vehicular and pedestrian traffic.

The Site Development Review Committee and staff recommend **approving** the request to abandon this segment of Bradley Street right-of-way, as requested. Abandoning the subject right-of-way, as recommended, will allow this land to be integrated with the adjacent lot and relieve the public from continued maintenance responsibilities. Staff contends that the recommended rearrangement of land will have the most likely long-range public benefit.